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Signature of Sponsor

AMEND SB 3176

<HB>

by deleting the directory and amendatory language on page 5 for Sections 7(p)(1) and Sections 7(2) and (3) in their entirety and by substituting instead the following language:

AND FURTHER AMEND by deleting Sections 7(p)(1)(2) and (3) in their entirety and substituting instead the following:

(p) Administer and coordinate the operation of the Tennessee Preparatory School, a special school of the state board of education, on behalf of the state board of education.

AND FURTHER AMEND by adding to the amendatory language in Section 94 on page 12 in subsection (b)(2) a comma "," after the words "it shall". This section is further amended by adding a comma "," after the words "prior to ordering commitment" in subsection (b)(2).

AND FURTHER AMEND by deleting in the amendatory language in Section 95 on page 13 the word "handle" and by substituting instead the word "adjudicate".

AND FURTHER AMEND by adding to the amendatory language in Section 106 on page 15 in subsection (b) a colon ":" after the word "either".

AND FURTHER AMEND by deleting the amendatory language in Section 112 on page 17 in its entirety and by substituting instead the following:

AND FURTHER AMEND by deleting in Section 112 on page 17 the punctuation and words "Plan" or "plan of care" and by substituting instead the punctuation and words "Plan" or "permanency plan".

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This section is further amended by deleting the period "." after the word "department" at the end of the section and adding at the end of the section after the word "department" the following language and punctuation:

, including the goal that the child shall exhibit lawful and productive behavior both while in custody and after reunification with his/her family and/or return to the community.

Further, such document shall set out requirements to achieve family re-unification or other appropriate plan for permanence for the child.

AND FURTHER amend by deleting the amendatory language in Section 145 on pages 17 and 18 in its entirety and by substituting instead the following:

AND FURTHER AMEND the directory language on page 17 by putting a period (.) after the word entirety and deleting the amendatory language.

AND FURTHER amend by deleting in its entirety on page 33 of the amendment the unnumbered section regarding Tennessee Preparatory School and by substituting instead the following:

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Preparatory School. (a) The Tennessee Preparatory School, a special school of the state board of education as set out in Tennessee Code Annotated Title 49, Chapter 50, Part 10, shall be operated by the department of children's services on behalf of the state board of education.

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(b) Notwithstanding any other provisions in this act or other acts creating the department of children's services, the transfer of the Tennessee Preparatory School from the jurisdiction of the state board of education to the jurisdiction of the department of children's services shall not, because of the transfer, result in any impairment, interruption or diminution of employee rights, privileges, salary, benefits, leave accumulation or employment. The commissioner of the department of children's services shall determine and remedy any impairment, interruption or diminution caused by the transfer.

(c) Initial placement at the Tennessee Preparatory School shall be limited to children who are at least twelve (12) years of age, but less than eighteen (18) years of age. The commissioner may make exception to the minimum age requirement for younger siblings of a child who has been placed at Tennessee Preparatory School.

(d) To be eligible for placement at the Tennessee Preparatory School, the commissioner or his or her designee shall find that a child in the department's custody is without support, abandoned, neglected or an orphan, or is without suitable home, proper guardianship, or is in danger of becoming delinquent because of dependency or neglect. Further, a child that has been adjudicated delinquent by virtue of committing an act that would be a misdemeanor criminal act if committed by an adult and is not otherwise appropriate for placement at a youth development center may also be eligible for placement at the Tennessee Preparatory School. Under no circumstances shall a child who has been adjudicated delinquent by virtue of committing an act that would be a

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felony if committed by an adult be eligible for placement at Tennessee Preparatory School.

(e) The Tennessee Preparatory School may seek to continue accreditation by the Southern Association of Colleges and Schools.

AND FURTHER AMEND by deleting in the unnumbered section on page 19 regarding § 31-1-128, the numeral "31" and by substituting instead the numeral "37".

AND FURTHER AMEND by adding the following new section to the amendment to be numbered appropriately:

SECTION ____ Tennessee Code Annotated, Section 49-50-1001(1) is amended by deleting the subsection in its entirety and by substituting instead the following language:

(1)(A) Control the Tennessee Preparatory School, the Tennessee School for the Blind, the Tennessee School for the Deaf, and the Alvin C. York Agricultural Institute; to elect, on the recommendation of the commissioner, the president, superintendents, teachers, officers, and other employees for such schools; to fix, on the recommendation of the commissioner, the salaries and terms of office of such officers and employees; and to prescribe curricula and other requirements for diplomas and degrees.

(B) For the purposes of this part, the following definitions apply:

(i) "Commissioner" means commissioner of education in any reference to the Tennessee School for the Blind, Tennessee School for

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the Deaf, and the Alvin C. York Agricultural Institute; "commissioner" means commissioner of children's services in any reference to the Tennessee Preparatory School;

(ii) "Department" means department of education in any reference to the Tennessee School for the Blind, Tennessee School for the Deaf, and the Alvin C. York Agricultural Institute; "department" means department of children's services in any reference to the Tennessee Preparatory School.

AND FURTHER AMEND by adding the following new section to the amendment to be numbered appropriately:

SECTION ____ Tennessee Code Annotated Tennessee Code Annotated, Section 49-50-1001(3) is amended by deleting the words and punctuation ", title 37, chapter 3,".

AND FURTHER AMEND by adding the following new section to the amendment to be numbered appropriately:

SECTION ____ Tennessee Code Annotated Title 49, Chapter 50, Part 11 is amended by deleting the words "commissioner of education" wherever they appear and by substituting instead the word "commissioner".

AND FURTHER AMEND by adding the following new section to the amendment to be numbered appropriately:

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SECTION ____ Tennessee Code Annotated, Section 49-50-1102 is amended by adding the following language and punctuation as a new appropriately designated subsection:

() "Commissioner" means commissioner of education in any reference to the Tennessee School for the Blind, Tennessee School for the Deaf, and the Alvin C. York Agricultural Institute; "commissioner" means commissioner of children's services in any reference to the Tennessee Preparatory School;